

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TW Dept., - LTR - Revision Petition filed under the provisions of A.P.S.A.L.T.R.,1959 by Sri Gummuluri Muralidhara Rao, S/o.Gangaraju, R/o.Addateegala (V&M), East Godavari District against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.07/2012 dt.09.03.2018 for the land measuring Ac.0.01 Cts in Sy.No.26,17 of Addateegala (V&M), East Godavari District.- For enquiry afresh - Orders - issued.

SOCIAL WELFARE (TW.LTR.2) DEPARTMENT

G.O.Ms.No.14

Dated: 28.07.2021
Read the following:-

- 1.Revision Petition filed by Sri Gummuluri Muralidhara Rao, S/o.Gangaraju, R/o.Addateegala (V&M), East Godavari District, dt.16.08.2018.
- 2.Govt.Memo.No. 15026/38/TW.LTR-2/2018, dt. 11.09.2018.
- 3.Govt.Lr.No.15026/38/TW.LTR-2/2018, dt. 11.09.2018 and 27.09.2019.

ORDER:

1. In the reference 1st read above, Revision Petition filed under the provisions of A.P.S.A.L.T.R.,1959 by Sri Gummuluri Muralidhara Rao, S/o.Gangaraju, R/o.Addateegala (V&M), East Godavari District against the orders of the Additional Agent to Government, Rampachodavaram, East Godavari District in C.M.A.No.07/2012 dt.09.03.2018 for the land measuring Ac.0.01 Cts in Sy.No.26,17 of Addateegala (V&M), East Godavari District.
2. In the reference 2nd read above, the Additional Agent to Government, Rampachodavaram (M), East Godavari District was requested to send para wise remarks and connected case records in the matter, so as to dispose of the Revision Petition at Government level.
3. In the reference 3rd read above, the petitioner was called for the hearing along with the written arguments. The case has been heard on 11.09.2018 and finally heard on 27.09.2019. During the course of hearing of the case that the revision petitioner submitted his arguments as per grounds in revision petition and on verification of documents and the grounds of revision and Para-wise remarks as well as the other documents and material available on the record it is noticed that the revision petitioner is said to have been in possession of Government land and on that the lower primary authority ordered for ejectment and the same was upheld by the appellant authority.

(P.T.O.)

4. The main contention of the revision petitioner is that the possession and enjoyment of the property prior 1959 and there is no prohibitory transaction and further the Revenue authorities issued 'D' Form Patta as such the orders of the lower authorities not sustainable and prays to allow the revision. The said factum needs a fresh enquiry in view of the fact of possession prior to the enactment of the regulations and the revenue record as such it is fit case to remand the matter for fresh enquiry by giving an opportunity to the revision petitioner to prove his case as per law.

5. That considering the above material that in the considered opinion, the orders of the lower authorities cannot be sustained and the matter shall be remanded to the primary authority for enquiry afresh for a decision according to law by issue notices to both the parties.

6. In the result the revision petition is allowed in part by setting aside the orders of the primary and appellant authorities and the matter is remanded to the primary authority for enquiry afresh by giving opportunity to both parties concerned with a direction to dispose of the matter within a period of six months after receipt of this order as per law independently uninfluenced by the observations made herein.

7. The Collector & District Magistrate, East Godavari District, Kakinada is requested to take necessary action in the matter accordingly and acknowledge the receipt of the case records, which are returned herewith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

KANTILALDANDE
SECRETARY TO GOVERNMENT

To

The Collector & District Magistrate, East Godavari District, Kakinada (w.e)
The Additional Agent to Govt. cum Project Officer, ITDA, Rampachodavaram,
East Godavari District.

The Special Deputy Collector, Rampachodavaram, East Godavari District.

Sri K.N.V.Ramana, Advocate, Addateegala, East Godavari District.

Sri Gummuluri Muralidhara Rao, S/o.Gangaraju, R/o.Addateegala (V&M), East
Godavari District

Copy to:

The P.S. to Hon'ble Dy. Chief Minister (TW)

The P.S. to Secretary (TW)

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER